S.B.Criminal Revision Petition No.421/2006

Jagdish vs. The Smt. Prem

20.9.2007

HON'BLE MR.JUSTICE G.S.SARRAF

Mr. Sanjay Gangwar for the petitioner.
Mr. Azad Ahmed for respondent.

This criminal revision petition is directed against the order dated 9.3.2006 passed by Family Court, Ajmer whereby the application of the respondent filed under Section 125 Cr.P.C. has been allowed and the petitioner has been directed to pay Rs.800/- per month as maintenance allowance to the respondent from the date of the order i.e.9.3.2006.

Heard learned counsel for the petitioner and learned counsel for the respondent and perused the material and evidence available on record.

The petitioner did not lead any evidence whereas the respondent Prem has examined herself in the Family court as AW.1 and has filed documents from Exs.1 to 8. She has deposed that she was married to the petitioner according to Hindu rites and she lived with the petitioner for about 30 years after the marriage but about 8-9 years back the petitioner turned her out of the

house after beating her. She has further deposed that around 4-5 years back the petitioner married one Geeta. She has also deposed that she lives with her old mother and she requires at least Rs.2000/- per month for her maintenance. There is nothing in her cross-examination to raise any doubt in the veracity of her statement. Learned Family Court after discussing the evidence has passed a reasoned order in detail and has awarded Rs.800/- per month as maintenance allowance to the respondent from the date of the order i.e. 9.3.2006. There is no ground for interference in the impugned order.

The revision petition stands dismissed accordingly.

(G.S.Sarraf),J.

bairwa